

**CITY GOVERNMENT  
OFFICIAL PROCEEDINGS OF CITY COUNCIL  
SAVANNAH, GEORGIA  
DECEMBER 30, 2010**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Alderman Sprague, followed by the Pledge of Allegiance to the Flag. The Minutes of the meeting of December 16, 2010 City Council Meeting upon motion by Alderman Jones, seconded by Alderman Felser and carried. The Summary Minutes of the City Council Workshop and City Manager's Briefing, and the Special City Council Meeting of December 17, 2010 were approved upon motion by Alderman Osborne, seconded by Alderman Felser and carried.

PRESENT: Mayor Otis S. Johnson, Presiding  
Mayor Pro-Tem Edna B. Jackson  
Aldermen Clifton Jones, Jr., Jeff Felser, Mary Ellen Sprague, and Mary Osborne  
  
Acting City Manager Rochelle S. Toney  
City Attorney James B. Blackburn  
Asst. City Attorneys William W. Shearouse and Lester B. Johnson, III

ABSENT: Alderman Tony Thomas, Chairman of Council  
Alderman Van Johnson, II, Vice-Chairman of Council,  
Aldermen Larry Stuber

Upon motion of Alderman Felser, seconded by Alderman Jackson, approval was given for the Mayor to sign an affidavit and resolution for an Executive Session held December 17, 2010 to discuss personnel, where no votes were taken (SEE RESOLUTIONS).

**PRESENTATIONS**

Mayor Johnson stated there had been two health situations arise within the past month. He said everyone had read in the newspaper, about Alderman Clifton Jones' condition and how it was handled; also the City's Chief Financial Officer Dick Evans was in the hospital. Therefore, it is important that everyone takes notice of their health. Healthy Savannah started as an initiative of Mayor Johnson's heart attack, four years ago. He stated he wanted to end the year by encouraging all employees to make sure they got health check-ups and that they are aware of their health conditions. He said there is no way to predict what will happen, but with regular check-ups, blood screenings, and lab tests, everyone can avoid certain catastrophic situations. He said he was proud that this year, the City Council started catching up with other cities that have already passed smoke-free ordinances to protect the workers as well as the patrons who visit the businesses, from second-hand smoke. Second-hand smoke is dangerous and the Council has acknowledged this because they have an obligation to public safety, therefore the ordinance was passed. He introduced Ms. Amy Hughes of Healthy Savannah to speak on an initiative she has been involved in.

Ms. Hughes thanked the Mayor and Council for their support of what may be the most important actions they took all year in supporting Healthy Savannah and passing the clean air ordinance in August. The ordinance goes into effect at noon, January 1, 2011. Smoke Free Savannah has become Breathe Easy Savannah. Ms. Hughes stated the volunteers had been working on an education campaign since the ordinance passed. A series of advertising ran in the newspapers, as well as radio and television, about the smoking sensation programs available, free of charge; then the messages were changed to, "Starting January 1<sup>st</sup>, We Can All Breathe a Little Easier." Most of the efforts have been on educating the businesses about the new ordinance. Breathe Easy Savannah received a grant from the Georgia Department of Community Health and through the Center for Disease Control, to invest in resources and tools to make the process simple and as easy as possible for the businesses. Ms. Hughes presented Council with a copy of the kit given to businesses. The kit contained a Citizens Guide that was mailed to 7,000 business license holders in the City. There was also a bar kit because that is the group that was most impacted by the ordinance. The kit is a guide for the business owners and employees, containing a detailed,

question and answer guide regarding the ordinance. The kit also contained Breathe Easy napkins, pens, and coasters; in hopes that the employees will help educate the customers. Also, a 10-foot Breathe Easy tape measure, door signs, posters, and information for the Georgia Tobacco Quit Lines for people interested in quitting smoking. Macon, Augusta, and Columbus have started on the path to passing their own ordinances. The Breathe Easy campaign was received favorably and there will be a Breathe Easy Georgia and the brand started in Savannah. The next step is a Breathe Easy Chatham County. Mayor Johnson thanked Ms. Hughes for her leadership, the members of Healthy Savannah, and the members of Council for supporting the worth-while initiative. He stated he believed over the years there will be a decline in the disease associated with smoking and second-hand smoke. Ms. Hughes stated the Georgia Department of Community Health has set aside funds to monitor the level of decline in the disease.

Alderman Jones expressed his gratitude to all who wished him well by sending cards and flowers and phone calls. He stated it was true you could not predict your health and his was an emergency. He gave credit to the Council members for being "on the spot" when it happened and taking him to the hospital.

## **LEGISLATIVE REPORTS**

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of the licenses and upon motion of Alderman Felser, seconded by Alderman Osborne, and carried, they were approved:

### **ALCOHOL BEVERAGES LICENSE HEARING**

David Jay Henry t/a Wal-Mart Stores East, LP d/b/a Wal-Mart Supercenter No. 4556, requesting a beer and wine (package) license at 14030 Abercorn Street, which is located between Apache Avenue and Rio Road in District 6.

Khalida Nasreen t/a EverLight 14, Inc. d/b/a West Bay HopIn, requesting a beer and wine (package) license at 2419 W. Bay Street, which is located in District 1.

As advertised, the following alcoholic license petition was heard. No one appeared in objection to the issuance of the licenses and upon motion of Alderman Felser, seconded by Alderman Osborne, and carried, they were approved:

Malone's On The River. Authorized the City Attorney to notify Brijesh Patel to appear on January 13, 2011 and show cause why the renewal of the liquor, beer, and wine (drink) license for Malone's On The River at 313-321 W. River Street, located between the Barnard Ramp and Martin Luther King, Jr. Boulevard in District 1, should not be denied due to minors having been allowed to enter the alcohol establishment and due also to an unrelated criminal charge against him by the State which has bearing on his reputation, character, and business associations.

City Attorney Blackburn stated there are charges pending for the employees and license holder. Technically the license will expire at the end of the year (2010), and no new application has been received. The owner and license holder will be notified. Mayor Pro-Tem Jackson asked if the establishment could continue to operate, although there was no application for 2011. Attorney Blackburn stated, under the policies followed by everyone, although the license expire on December 31<sup>st</sup>, there is a grace period for one month. Mayor Johnson stated during the one month grace period there will be a show cause hearing, which is a privilege not an entitlement.

### **ZONING HEARINGS**

Metropolitan Planning Commission (Z-101012-36582-2), recommending a text amendment to the City of Savannah's Zoning Ordinance to amend Section 8-3030 *Historic District (f), Classification of Structures and Historic Building Map*, to add 112 structures of historic or architectural significance. Thirty-seven percent of the proposed structures were constructed between 1820 and 1945 and contribute to the established historic context for the district. The other proposed additions include early forms of lane dwellings, carriage houses, ancillary buildings, automotive related structures, and commercial properties constructed between 1842 and 1955. Adding the 112 eligible structures to the Historic Building Map would help to protect them with regard to unsympathetic alterations, additions, incompatible new construction, and demolition requests.

City Manager Toney introduce the City's Historic Preservation Officer Sara Ward, who was present to answer any questions the Council may have had. Alderman Jackson stated she was concerned that the City has many derelict buildings; she asked the City Manger to review other cities for their procedures of removing the eye-sores in the communities. Ms. Toney stated they would and that it was a complicated process involving MPC and other City Departments. She stated they would discuss it in a Workshop so that the Council could see the issues the City faces. Alderman Felser stated that once before the City was faced with "Demolition by Neglect." He stated, due to the new ordinance he hoped the City would not do this again. He agreed with Mayor Pro-Tem Jackson that some of the buildings presented this day was already in neglect and he welcomed the Workshop. Alderman Jones pointed out that the cases of demolition creates eyesores and that he did not know if a demand could be put on a property owner. He also said the City needs to look at doing what needs to be done to get the property back on the market. Sometimes taking the building down creates the same kind of situation such as the one at Henry & MLK. He stated if a property stands for any length of time, and no one is living in it, those kinds of properties needed to be addressed along with the ordinance. Ms. Toney stated often the property owners do not have the money to bring the structures up to code and this is one of the issues that will be discussed in the Workshop. The City of Savannah has the largest historic district in the country, therefore there is pressure to keep the properties; however, it is difficult when the proper resources are not there to work with. Mayor Johnson stated visitors come to see the historic district and all they see is boarded-up buildings. He stated the City wants to save as many buildings as possible. Upon motion by Alderman Jones, seconded by Alderman Sprague, and carried, the text amendment was approved.

## **REPORTS**

### **PETITIONS**

Philip McCorkle for Wal-Mart – Petition 13024, requesting final approval of the relocation of Fulton Road. On March 15, 2007, City Council approved the relocation of the road subject to review of the site plan. On April 12, 2007, Council approved the site plan conditioned upon a final review of several outstanding details, including completion of the survey and the resolution of life safety and infrastructure issues associated with constriction of the canal and traffic light improvements at Rio and Apache Roads. The City's infrastructure departments, including Stormwater and Traffic Engineering, recently performed a final inspection and determined that the City's concerns on these issues have been addressed. Although there are minor items to be corrected, the Development Services Department is holding a 100% Construction Bond for the project and these repairs will covered by the bond. The surveying has been completed and incorporated into a subdivision plat entitled "Lot 1A Savannah Place, Vacated Portions of Fulton Road and Navajo Road, a Portion of Lot 2 of a Recombination of Lot 2A and 2B, Navajo Subdivision and Various Parcels of the Hermitage Tract" prepared by Thomas and Hutton Engineering Company. Necessary deeds for conveyance of the relocation of the road have been prepared. Recommend final approval of the Fulton Road relocation and authorization for the Acting City Manager to sign the final plat and all documents relating to the conveyance for the road relocation.

**BE IT RESOLVED AND IT IS HEREBY RESOLVED** that the Mayor and Aldermen of the City of Savannah in regular meeting of Council assembled, that the foregoing recommendations were hereby adopted and approved upon motion of Alderman Felser, seconded by Alderman Sprague, and carried

## **ORDINANCES**

### **Second Readings**

Pension Plan Amendment. An ordinance to amend the City Charter to amend the Pension Plan to provide for a Temporary Retirement Incentive Program; to provide for additional options under the Social Security optional form of benefit; to provide a Table of Factors for the Social Security optional form of benefit; to provide for a revised definition; to provide for coordination of City funded Worker's Compensation Benefits with Occupational Disability Pension Benefits; to provide for refund of employee pension contributions when employment terminates with less than 5 years of service; to provide for revised provisions for re-employment and to repeal all ordinances in conflict herewith and for other purposes.

Ordinance read for the first time in Council December 16, 2010, and amended and read a second time December 30, 2010, placed upon its passage, adopted and approved upon motion of Alderman Osborne, seconded by Alderman Felser, and carried.

**ORDINANCE  
ENTITLED**

**AN ORDINANCE TO AMEND THE CHARTER OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH, GEORGIA, TO AMEND THE PENSION PLAN ADOPTED AND APPROVED JUNE 8, 1972, AS AMENDED AND RESTATED, AND CODIFIED AS APPENDIX IV OF DIVISION I OF THE 2003 CITY CODE, AS AMENDED, TO PROVIDE FOR A TEMPORARY RETIREMENT INCENTIVE PROGRAM; TO PROVIDE FOR ADDITIONAL OPTIONS UNDER THE SOCIAL SECURITY OPTIONAL FORM OF BENEFIT; TO PROVIDE A TABLE OF FACTORS FOR THE SOCIAL SECURITY OPTIONAL FORM OF BENEFIT; TO PROVIDE FOR A REVISED DEFINITIONS; TO PROVIDE FOR COORDINATION OF CITY FUNDED WORKER'S COMPENSATION BENEFITS WITH OCCUPATIONAL DISABILITY PENSION BENEFITS; TO PROVIDE FOR REFUND OF EMPLOYEE PENSION CONTRIBUTIONS WHEN EMPLOYMENT TERMINATES WITH LESS THAN 5 YEARS OF SERVICE; TO PROVIDE FOR REVISED PROVISIONS FOR RE-EMPLOYMENT; AND TO REPEAL ALL ORDINANCES IN CONFLICT HERewith AND FOR OTHER PURPOSES**

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled, and pursuant to lawful authority, thereof, and after proper notice and advertisement in accordance with O.C.G.A. 36-35-3 that the Charter of the City of Savannah be amended by amending the City of Savannah Employees' Retirement Plan as follows:

**SECTION 1**

- A. The Plan is amended by adding the following new article to be designated Article XIII – Temporary Retirement Incentive Program which shall be as follows:

“Article XIII”

Temporary Retirement Incentive Program  
January 1, 2011 through April 1, 2011

- A. The following provisions shall apply solely for the temporary period of January 1, 2011 through April 1, 2011 and collectively these provisions may be referred to as the “Temporary Retirement Incentive Program” or “TRIP”. Participation in the TRIP shall be voluntary on the part of Plan Participants.
1. To participate in the TRIP, a Plan Participant must elect a Retirement Date of one of the following four dates: January 1, 2011, February 1, 2011, March 1, 2011 or April 1, 2011. Such election and application to retire must be filed on forms prescribed by the Retirement Administrator on or before a date specified by the Retirement Administrator.
  2. Police or Fire Employees who have attained age 55, or General Employees who have attained age 57, on their selected Retirement Date (as provided in the section XIII.A.1. above), and who have 5 or more years of actual service on such date shall be eligible for additional TRIP Service Credit. The amount of additional TRIP Service Credit shall be equal to one month of TRIP Service Credit for each year of actual service up to a maximum of 3 years of additional TRIP Service Credit. Computation of benefits under Article VI hereof shall be based on the sum Service Credit provided by the provisions of this Plan plus the additional TRIP Service Credit provided in this sub-section.
  3. Police or Fire Employees who have attained age 50, or General Employees who have attained age 52, on their selected Retirement Date (as provided in section XIII.A.1. above), and who have 10 or more years of actual service on such date shall not be subject to the alternate retirement benefit reduction provided in section VI.A.2.(b)(2) in the case of Police and Fire Employees, or section VI.B.2.(b)(2) in the case of General Employees.

4. For eligible Participants electing to retire on a date enumerated in section XIII.A.1. above, the \$5,000 maximum for lump sum payments provided in section VI.C.7(b)(5) – *Option 5: Lump Sum* is waived. Lump-sum payment however shall continue to be limited to the actuarial equivalent of 10% of the monthly retirement benefit.
5. An amount equal to the value of accrued leave (plus associated employer FICA tax) computed in the City’s customary manner for separating employees as provided by the City’s Pay Policies and actually paid to Eligible Participants electing to retire on a date enumerated in section XIII.A.1., shall be reimbursed to the City from the Retirement Fund as a cost of the Pension Plan.

B. The provisions of this Article XIII shall apply solely to Plan Participants who elect a Retirement Date enumerated in section XIII.A.1.”

B. Amend Article II, Definitions, A. Section 3. “Police or Fire Employees” by striking said subsection and inserting in lieu thereof the following:

“3. “*Police or Fire Employee*” shall mean any person who, on or after the Effective Date of this Plan, is employed by the City as a Full-time Employee and as a law enforcement officer or firefighter.

A Police or Fire Employee with 15 or more years of credited service as a Police or Fire Employee who moves to a General Employee position due to an injury arising out of his/her employment with the City which disqualifies him/her to serve as a Police or Fire Employee, shall be deemed a Police or Fire Employee for purposes of determining eligibility for early and normal retirement under this Plan. “

C. Amend Article VI, Benefits, C. All Employees, Section 7, Form of Benefit Payment, subsection (b)(4) Option 4 – Social Security by striking said subsection and inserting in lieu thereof the following:

(4) *Option 4: Social Security*

A Participant who will become eligible for normal or alternative retirement benefits hereunder may, prior to his or her actual retirement date, elect to have his or her monthly retirement benefits increased from the actual retirement date until the date on which he or she elects to plan to commence receiving Social Security retirement benefits, with the monthly benefits under this Plan then being decreased from such date elected, so as to, as nearly as is possible, produce a level monthly retirement income over the total years of the Participant’s retirement from the standpoint of the combination of retirement benefits payable from both this Plan and Social Security. For the purpose of selecting this option and the determination of the benefit under this Plan, the Participant may elect to choose as his or her planned Social Security retirement commencement date from the following ages:

62 years	66 years
63 years	66, 2 months
64 years	66, 4 months
65 years	66, 6 months
65, 2 months	66, 8 months
65, 4 months	66, 10 months
65, 6 months	67 years
65, 8 months	
65, 10 months	

D. Amend Article XI, Option Factors, I. Social Security Benefit by striking said subsection and inserting in lieu thereof the following:

“I. *Social Security Benefits*

When the Social security benefit is elected, the factors to be applied to the form of benefit otherwise elected shall be as follows:

Age at Benefit Commencement (Down)	Factors (based on planned age for commencement of Social Security)							
	62 y	63 y	64 y	65 y	65y 2m	65y 4m	65y 6m	65y 8m
50	0.3272	0.2946	0.1646	0.2369	0.2327	0.2285	0.2243	0.2200
51	0.3564	0.3208	0.2881	0.2580	0.2534	0.2488	0.2442	0.2396
52	0.3885	0.3497	0.3140	0.2812	0.2762	0.2712	0.2662	0.2611
53	0.4240	0.3817	0.3427	0.3069	0.3014	0.2959	0.2905	0.2850
54	0.4634	0.4171	0.3745	0.3354	0.3294	0.3234	0.3175	0.3115
55	0.5071	0.4564	0.4098	0.3670	0.3605	0.3539	0.3474	0.3408
56	0.5558	0.5003	0.4491	0.4022	0.3949	0.3878	0.3806	0.3734
57	0.6101	0.5491	0.4930	0.4414	0.4336	0.4257	0.4178	0.4099
58	0.6708	0.6038	0.5421	0.4853	0.4767	0.4680	0.4594	0.4507
59	0.7390	0.6651	0.5971	0.5346	0.5250	0.5155	0.5059	0.4963
60	0.8156	0.7341	0.6590	0.5900	0.5795	0.5689	0.5584	0.5478
61	0.9021	0.8119	0.7288	0.6525	0.6408	0.6291	0.6175	0.6058
62	--	0.900	0.8078	0.7232	0.7103	0.6973	0.6844	0.6714
63	--	--	--	0.8035	0.7892	0.7748	0.7604	0.7460
64	--	--	--	0.8951	0.8792	0.8631	0.8471	0.8310
65	--	--	--	--	0.9821	0.9642	0.9463	0.9283
66	--	--	--	--	--	--	--	--

Age at Benefit Commencement (Down)	Factors (based on planned age for commencement of Social Security)							
	65y 10m	66y 0m	66y 2m	66y 4m	66y 6m	66y 8m	66y 10m	67y 0m
50	0.2158	0.2116	0.2077	0.2038	0.2000	0.1961	0.1922	0.1883
51	0.2350	0.2304	0.2262	0.2220	0.2178	0.2135	0.2093	0.2051
52	0.2561	0.2511	0.2465	0.2419	0.2373	0.2327	0.2281	0.2235
53	0.2795	0.2740	0.2690	0.2640	0.2590	0.2540	0.2490	0.2440
54	0.3055	0.2995	0.2940	0.2885	0.2831	0.2776	0.2721	0.2666
55	0.3343	0.3277	0.3217	0.3157	0.3097	0.3036	0.2976	0.2916
56	0.3663	0.3591	0.3525	0.3459	0.3394	0.3328	0.3262	0.3196
57	0.4020	0.3941	0.3869	0.3796	0.3724	0.3652	0.3579	0.3507
58	0.4420	0.4333	0.4254	0.4174	0.4095	0.4015	0.3936	0.3856
59	0.4868	0.4772	0.4685	0.4597	0.4510	0.4422	0.4335	0.4247
60	0.5373	0.5267	0.5170	0.5074	0.4977	0.4880	0.4784	0.4687
61	0.5941	0.5824	0.5717	0.5610	0.5504	0.5397	0.5290	0.5183
62	0.6585	0.6455	0.6337	0.6218	0.6100	0.5981	0.5863	0.5744
63	0.7316	0.7172	0.7040	0.6909	0.6777	0.6645	0.6514	0.6382
64	0.8150	0.7989	0.7842	0.7696	0.7549	0.7402	0.7256	0.7109
65	0.9104	0.8925	0.8761	0.8597	0.8433	0.8268	0.8104	0.7940
66	--	--	0.9816	0.9632	0.9448	0.9264	0.9080	0.8896

Examples

1. A Participant retires at age 55 with a monthly retirement benefit of \$400 and elects to plan to receive Social Security at age 62. The projected Social Security benefit beginning at age 62 is \$200. The Participant receives from the Plan a benefit of \$400 + (\$200 x 0.5071) or \$501.42 until he or she reaches age 62. At age 62 the Plan’s benefit is reduced by \$200 to \$301.42, at which point the Participant is eligible to receive the projected Social Security benefit of \$200.

2. A Participant retires at age 61 with a monthly retirement benefit of \$1,000 and elects to plan to receive Social Security at age 65 years and 8 months. The projected Social Security benefit beginning at age 65 years and 8 months is \$900. The Participant receives from the Plan a benefit of \$1,000 + (900 x 0.6058) or \$1,545.22 until he or she reaches age 65 years and 8 months. At age 65 years and 8 months the Plan’s benefit is reduced by \$900 to \$645.22, at which point the Participant is eligible to receive the projected Social Security benefit of \$900.”

- E. Amend Article VI, Benefits, C. All Employees, Section 9, *When Participant is Ineligible to Receive Benefits*, by striking said subsection and inserting in lieu thereof the following:

“9. Re-employment of Retired Participant

If a Participant is elected to office, or appointed to fill a vacancy in an elected office, or re-employed by the City while receiving benefits under the Plan, he shall choose one of the following options regarding the payment of pension benefits:

- (a) While the Participant is in office or is re-employed, pension benefits shall cease to be paid under the plan and the Participant shall make contributions to the Plan. Upon re-retirement, benefits shall be recalculated and payment shall commence to be made; or

- (b) The Participant shall continue to receive pension benefits from the Plan. However, the Participant shall not make any additional contributions to the Plan, shall not receive additional Service Credit under the Plan, and shall not be entitled to a recalculation of benefits upon re-retirement.”

- F. Amend Article II, Definitions, A. Section 16. “Total and Permanent Disability” by striking said subsection and inserting in lieu thereof the following:

“16. “*Total and Permanent Disability*” shall mean a disability, the medical prognosis of which is that it shall be both total and permanent and which thereby prevents an Employee from engaging in his or her duties as an Employee of the City, or those of any occupation for which he may be suited by reason of experience, training or education.”

- G. Amend Article VI- Benefits, Section C. – All Employees, 3. Occupational Disability Benefit, Sub-section (4) by adding the following new sub-paragraph iii:

“iii. The occupational disability benefits described in sub-sections i and ii above, shall be off-set by the amount of disability benefits funded by the City and paid to the Participant under the worker’s compensation provisions of the state code. Periodic worker’s compensation disability payments shall off-set the occupational pension disability benefits on a dollar for dollar basis. Lump-sum disability worker’s compensation settlements shall be converted to an actuarial monthly equivalent by the Plan actuary and offset against future occupational pension disability benefits. “

- H. Amend Article VI – Benefits, Section C – All Employees, 6. – Vesting, (a) Termination Prior to Five years of Credited Service by striking said subsection and inserting in lieu thereof the following:

“(a) *Termination Prior to Five Years of Credited Service*

In the event a Participant shall terminate employment prior to the completion of 5 years of Credited Service, the Participant’s contributions shall be refunded with interest at rates which shall be from time to time determined by the Retirement Board, but which shall in no event exceed the actuarial rates of interest assumed by the Fund for the years during which the withdrawal contributions were made.”

## **SECTION 2**

The City of Savannah Employees’ Retirement Plan amends set forth herein shall be effective for all purposes as of January 1, 2011.

## **SECTION 3**

All Charter, Code provisions, Ordinances and Laws not in conflict herewith shall continue in full force and effect, but where in conflict, are hereby rep

ADOPTED AND APPROVED THIS 30<sup>TH</sup> DAY OF DECEMBER, 2010.

### **First and Second Readings**

General Development Plan for Gamble Funeral Home (P-101007-60591-2). An ordinance to amend the General Development Plan for Gamble Funeral Home, 410 Stephenson Avenue, PIN 2-0145-05-002, in order to construct a small storage building in the northwest corner of the site instead of in the northeast corner, and to add a flag pole near the front entrance to the principal use building. Upon motion by Alderman Felser, that the 1<sup>st</sup> reading be considered the 2<sup>nd</sup> reading and placed upon its passage; seconded by Alderman Sprague and carried.

General Development Plan for Ramsey Run Self Storage/Dollar General (P-101003-61048-2). An ordinance to amend the General Development Plan for Ramsey Run Self Storage 11975 Apache Avenue, PIN 1-0845-01-010, in order to add a general retail department store. Upon motion by Alderman Osborne that the 1<sup>st</sup> reading be considered the 2<sup>nd</sup> reading and placed upon its passage, seconded by Alderman Jones and carried, the ordinance was approved.

Canterbury Court at Plantation Drive – Traffic Control. An ordinance to authorize making Canterbury Court and Road yield for Plantation Drive and Court. Traffic Engineering

investigated a citizen request and determined that yield signs should be installed for traffic control at this intersection based on the extremely low traffic volumes, good visibility, and no correctable accidents on file. (Traffic Engineering Report approved December 16, 2010.) Upon motion by Alderman Jones that the 1<sup>st</sup> reading be considered the 2<sup>nd</sup> reading and placed upon its passage, seconded by Alderman Jackson and carried, the ordinance was approved.

**AN ORDINANCE**  
**To Be Entitled**

AN ORDINANCE TO AMEND APPENDIX I, SECTION 210 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003), PERTAINING TO SECTION 7-1026 OF SAID CODE, TO PROVIDE THAT THE STREETS NAMED HEREIN SHALL BE DESIGNATED YIELD RIGHT-OF-WAY INTERSECTIONS; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES:

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Appendix I, Section 210 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1026 of said Code as amended shall be amended as follows:

AMEND SECTION 210, YIELD RIGHT-OF-WAY INTERSECTIONS TO INCLUDE:

Canterbury Court SHALL YIELD for Plantation Court (a/k/a Plantation Drive).

Canterbury Road SHALL YIELD for Plantation Court (a/k/a Plantation Drive).

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED THIS 30<sup>TH</sup> DAY OF DECEMBER 2010.

Speed Limit Reduction – Bacon Park Drive from Waters Avenue to Casey Canal. An ordinance to reduce the speed limit on Bacon Park Drive between Waters Avenue and Casey Canal from 30 MPH to 25 MPH. Traffic Engineering conducted speed studies for Bacon Park Drive east of Waters Avenue in response to a neighborhood association request and determined that the speed limit should be reduced from 30 MPH to 25 MPH. (Traffic Engineering Report approved December 16, 2010.) Upon motion by Alderman Osborne that the 1<sup>st</sup> reading be considered the 2<sup>nd</sup> reading and placed upon its passage, seconded by Alderman Jackson and carried, the ordinance was approved.

**AN ORDINANCE**  
**To Be Entitled**

AN ORDINANCE TO AMEND APPENDIX I, SECTION 208 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003), PERTAINING TO SECTION 7-1018 OF SAID CODE, TO PROVIDE THAT THE SPEED LIMIT SHALL BE THIRTY (30) MILES PER HOUR ON THE STREETS NAMED HEREIN; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES:

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Appendix I, Section 208 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1018 of said Code, as amended shall be amended as follows:

AMEND SECTION 208, THIRTY MPH SPEED LIMIT TO INCLUDE:

**DELETE**

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Speed Limit</u>
Bacon Park Drive	Waters Avenue	Casey Canal	0.56 mi	30 MPH



SECTION 2: All ordinances of parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED THIS 30<sup>TH</sup> DAY OF DECEMBER 2010.

AN ORDINANCE  
To Be Entitled

AN ORDINANCE TO AMEND APPENDIX I, SECTION 208 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003), PERTAINING TO SECTION 7-1018 OF SAID CODE, TO PROVIDE THAT THE SPEED LIMIT SHALL BE THIRTY (30) MILES PER HOUR ON THE STREETS NAMED HEREIN; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES:

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Appendix I, Section 208 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1018 of said Code, as amended shall be amended as follows:

AMEND SECTION 208, THIRTY MPH SPEED LIMIT TO INCLUDE:

ENACT

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Speed Limit</u>
Bacon Park Drive	Waters Avenue	Casey Canal	0.56 mi	25 MPH

SECTION 2: All ordinances of parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED THIS 30<sup>TH</sup> DAY OF DECEMBER 2010.

Green Roof Ordinance. An ordinance to provide standards for designing, installing, and maintaining green roofs in the City. A green roof is a roof on a building that is partially or completely covered with vegetation. Critical components of a green roof include growing medium, waterproof membrane, root barrier, a drainage and irrigation system. Green roofs in urban settings may offer many benefits including reduction of the urban heat island effect; reduction of building heating and cooling demand; and reduction of stormwater run off. These standards will be important in the Historic District due to the permanent incentive offered for a feature that may be short-lived if not carefully designed and monitored. The proposed standards will provide users and staff the basic tools to establish functional, safe, and long term green roofs.

City Manager Toney asked the Director of Facilities Maintenance to speak to Council. Alderman Sprague asked what the recent Green Roof failures were. She stated the failure was with the soil; green roof soil must be engineered. It was a costly failure. The soil had to be removed then the new, engineered soil had to be replaced and replanted. Alderman Sprague asked if there were any successful green roofs in Savannah. The director stated there were. Alderman Jones asked if this would become a mandatory process to which she answered no, it was strictly voluntary. Alderman Felser asked if there were grant monies available and she stated there were opportunities to work with, also EPA is pushing the project; therefore funding opportunities are out there. Alderman Osborne read from the memorandum from the City Manager: The City continues to investigate ways to encourage sustainable development and promote environmental, economic, and social health. Green roofs in urban settings may offer the following benefits: reduction of the urban heat island effect; reduction of building heating and cooling demand; reduction of stormwater quantity; improved stormwater quality; and increase in green space and biological diversity. She stated she thought it was important for the people to understand why the Council was interested in this. City Attorney Blackburn stated this was a new concept in this area and the staff has been working on it for a long time. He stated it was a complicated subject and suggested putting it on 1<sup>st</sup> reading until Council has more time to review it. This will be placed on the January 13, 2010 meeting.

# **RESOLUTIONS**

## **A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AUTHORIZING THE MAYOR TO SIGN AFFIDAVIT OF EXECUTIVE SESSION**

BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah as follows:

At the meeting held on the 17<sup>th</sup> day of December, 2010 the Council entered into a closed session for the purpose of discussing personnel. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED THIS 30<sup>th</sup> DAY OF DECEMBER, 2010 UPON MOTION OF ALDERMAN FELSER, SECONDED BY ALDERMAN OSBORNE, AND CARRIED.

Driveway Easement – Chatham County. A resolution to authorize the Acting City Manager to sign the driveway easement granting permission for Chatham County to enter upon City property known as the Dean Forest Landfill Access Road for the completion of the Dean Forest Road Widening project. Chatham County has plans to upgrade and improve Dean Forest Road from US 17 to I-16 in conjunction with the SR 307/Dean Forest Road widening project. As part of the project, the County will need to obtain a driveway easement to enter upon City property (PIN 2-0990-01-012) to make the necessary improvements to ensure a smooth transition from the City's landfill driveway/access road to the reworked grade of Dean Forest Road. The granting of this request would serve the best interests of the citizens of Savannah and Chatham County as a result of the proposed improvements to Dean Forest Road. There will be no cost to the City for the improvements. Upon motion by Alderman Felser; seconded by Alderman Sprague, and carried the easement was approved.

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO SIGN THE DRIVEWAY EASEMENT GRANTING PERMISSION FOR CHATHAM COUNTY TO ENTER UPON CITY PROPERTY KNOWN AS THE DEAN FOREST LANDFILL ACCESS ROAD FOR THE COMPLETION OF THE DEAN FOREST ROAD WIDENING PROJECT

WHEREAS, Chatham County desires to upgrade and improve Dean Forest Road from US 17 to I-16 in conjunction with the SR 307/Dean Forest Road widening project; and

WHEREAS, in order to complete said project the County will need to obtain a driveway easement to ensure that there is a smooth transition from the Dean Forest Landfill Access Road to the reworked grade of Dean Forest Road; and

WHEREAS, said improvements shall be to the benefit of, and at no cost to, the City of Savannah;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Aldermen in regular meeting assembled approve the granting of said easement and authorize the City Manager to execute the easement document in conformance with this Resolution.

ADOPTED AND APPROVED this 30<sup>th</sup> day of DECEMBER, 2010.

Quitclaim Deed and Termination of Easement – SJC Properties, Inc. A resolution to authorize the Acting City to execute the Quit Claim Deed and Termination Agreement releasing any interest in an unused 15-foot utility easement located on the property at 11706 Mercy Boulevard, PIN 2-0754-02-034 to SJC Properties, Inc. In 1989, the water line easement, which traversed the middle of Lot 8, St. Joseph's Professional Plaza, was relocated northward to allow for construction of an addition to the existing building. This relocation was documented in "Relocation of Water Line Easement" recorded on March 2, 1989, in Book 141-G, Page 675, and a plat dated March 22, 1988 and recorded in Plat Book 10-P, Page 70, Chatham County, Georgia

records. However, since no termination of the original easement was recorded, the current owners are now requesting that the City sign a Quit Claim Deed and Termination Agreement to release any interest in the previous easement. City staff has confirmed that the active water line was moved to the "Relocated Utility Easement" shown on the above-referenced plat. Upon motion by Alderman Jackson, seconded by Alderman Jones, and carried the easement was approved.

### **MISCELLANEOUS**

Road Grade Crossing Agreement. Recommend authorizing the Acting City Manager to execute a road grade crossing agreement with Georgia Central Railway and McDonald Ventures for a rail crossing on Telfair Road to service warehouses of McDonald's. Upon motion by Alderman Felser, seconded by Alderman Sprague, and carried the agreement was approved.

\*\*\*\*\*

Upon motion of Alderman Osborne, seconded by Alderman Felser, and carried, the following **bids, contracts and agreements** were approved:

### **BIDS, CONTRACTS AND AGREEMENTS**

Delinquent Tax Collection Services – RFP No. 10.267. Approval to procure delinquent tax collection services from Delinquent Tax Services, Inc. The services will include the initial pursuit of delinquent taxes, secondary pursuit of delinquent taxes via filing of tax executions and preparation of legal notices, advertisements and abstracts required throughout the levy process. The collection process will be cost neutral to the City with all costs for processing, materials, postage and services to be at the expense of the contractor and recovered by a flat fee from the taxpayer when delinquent accounts are paid to the City. The flat fee is \$30.00 per collection with a balance of less than \$50.00 and \$50.00 per collection with a balance of more than \$50.00. For stage two collections (accounts at levy and tax sale status), fees will be \$170.00 per collection. It is estimated that 3600 delinquent accounts will be processed annually with an average value of \$500 per account. Using that estimate, the total annual fees payable to the contractor are estimated to be \$356,400.00. The method used to procure these services was the Request for Proposal which evaluates other criteria in addition to price. The evaluation criteria included experience and qualification of the submitting firm, the methodology proposed for the collection process, references from previous clients and capacity of the firm to manage the volume of accounts and fees. Proposals were received from six proposers. Three proposers were found to be qualified and selected for further consideration. The lowest cost proposer did not have experience with real or personal property tax collections in Georgia and could not provide the requested staff training. The second lowest cost proposer was eliminated because in the City's previous contract, they were unable to achieve volumes of more than 250 accounts a month. Having been recently awarded the Chatham County contract, additional volumes generated from the City contract could slow down collections. The recommended proposer has the ability and expertise to assist with personal property tax collection, bankruptcy administration and excess funds administration, maintains an attorney on staff, and provided superior staff experience to oversee the City account. Delivery: As Needed. Terms: Net-30 Days.

Temporary Casual Labor – Annual Contract – Bid No. 10.279. Awarded an annual contract to procure temporary casual labor from Chatham Personnel Enterprises, Inc./Temporaries Unlimited in the amount of \$738,665.40. The temporary casual labor will be used by various City departments and bureaus to fill positions requiring skilled or casual labor. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2010 Budget, Temporary Labor (Account No. Various 51256).

Temporary Clerical Labor – Annual Contract – Bid No. 10.280. Awarded an annual contract to procure temporary clerical labor from Ambassador Personnel in the amount of \$289,271.04. The contract will be used by City departments to fill clerical positions. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2010 Budget, Temporary Labor (Account No. Various 51256).

Insurance Broker Consultant Services – Annual Contract – Bid No. 10.275. Approval of an annual contract to provide insurance broker consulting services from Wells Fargo in the amount of \$40,000.00. The consultant services will be used by Risk Management to assist in the

management of the City's various insured and self-funded programs. Services may include review, analysis, recommendation, and placement of all insured and self-funded programs in the areas of workers compensation, safety and loss control, property, casualty and liability coverage, as well as processing policy change endorsements, policy review and audit and monitoring of appropriate claims. The method used to procure these services was the Request for Proposal (RFP) which evaluates other criteria in addition to price. The criteria evaluated as part of this RFP included experience and qualification of the submitting firm, the comprehensiveness of services, references from previous clients, and fees. Four proposals were received. Two of the proposers, Wells Fargo and Seacrest, were determined to be in the competitive range and selected for further consideration. Although the proposed fees were exactly the same, Wells Fargo included 85 hours of claims consulting and 15 hours of loss control consulting which was requested as part of the RFP. Seacrest proposed outside consultants at an additional charge for these services. In addition, Wells Fargo is the City's current broker and has provided City staff with exceptional service. Delivery: As Needed. Terms: Net-30 days. Funds are available in the 2010 Budget, Risk Management Fund/Risk Management Fire Insurance/Purchased Insurance Premiums (Account No. 621-9802-52225).

Digital Video Systems for Savannah-Chatham Metropolitan Police Department Vehicles – RFP No. 10.287. Approval to procure digital video systems from Coban Technologies, Inc. in the amount of \$31,545.00. The digital video surveillance systems will be installed in five SCMPD Traffic Unit vehicles for recording incidents and transporting data to the City Network with the ability to monitor live video streams. The low proposer, L3 Communications was not selected because their proposal did not meet the technical criteria for a removable hard drive (Spec. 2.10) in the vehicle which is important for uploading data. Funds are available in the 2010 Budget, General Fund/Traffic Unit/Small Fixed Assets (Account No. 101-4231-51321).

Sewer Jet Truck – One Time Purchase – Bid No. 10.276. Approval to procure one sewer jet truck in the amount of \$127,557.00. The truck will be used by Sewer Maintenance to replace unit #3820 which is no longer economical to repair or operate. Delivery: 120 Days. Terms: Net-30 Days. Funds are available in the 2010 Budget, Vehicle Replacement Fund/Vehicle Purchases/Vehicular Equipment (Account No. 613-9230-51515.)

Flygt Pump Equipment, Repair Parts and Services – Annual Contract Renewal – Bid No. 10.314. Renewed an annual contract to procure equipment, repair parts and services for Flygt pumps from ITT Flygt in the estimated amount of \$150,000.00. The contract is needed to maintain Flygt pumps in the waste water and stormwater systems. The reason why a sole source vendor is required is that ITT Flygt is the only vendor authorized to service Flygt pumps for this area. Prices were negotiated with the vendor and are based on a 15% discount off list price for equipment, 10% discount off list price for parts and 5% discount for labor. This is the third renewal option for this contract. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2010 Budget, Capital Improvement Fund/Capital Improvement Project/Other Costs/Various Projects (Account No. 311-9207-52842).

Water Level Monitoring Equipment – Annual Contract Renewal – Bid No. 10.313. Renewal of an annual contract to procure water level monitoring controllers from Valve and Controls in the amount of \$54,120.00. The controllers will be used by the Conveyance and Distribution Department to monitor wastewater pumping stations. This is the first of two renewal options available. Funds are available in the 2010 Budget, Water & Sewer Fund/Lift Station Maintenance Equipment Repair Parts (Account No. 521-2552-51335).

Ready Mix Concrete – Annual Contract Renewal – Bid No. 10.311. Renewal of an annual contract to procure ready-mix concrete from Chatham Concrete Construction (Primary) in the amount of \$116,610.00 and Savannah River Utilities (Secondary). The concrete will be used by Streets Maintenance and other departments for routine maintenance and small projects. The recommended award amount was negotiated with the low bidder. There are three renewal options remaining for this contract. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2010 Budget, General Fund/Street Maintenance/Constructions Supplies & Materials (Account No. 101-2105-51340).

Hydraulic Hoses & Components – Annual Contract Renewal – Bid No. 10.315. Recommend renewing an annual contract for hydraulic hoses and components to Savannah Drive in the amount of \$57,000.00. The hydraulic hoses and components will be used to repair and maintain City vehicles. There are three renewals remaining for this contract. Delivery: Immediate. Terms: Net-30 Days. Funds are available in the 2010 Budget, Internal Service Fund/Inventory Vehicle Parts (Account No. 611-0000-11325).

Bishop Crook Light Poles and Luminaries – Bid No. 10.233. Approval to procure 118 bishop crook street light poles with luminaries from CK Lighting/Sun Valley Lighting in the amount of \$338,210.00. Also recommend approval to purchase an additional 31 poles matching existing luminaries to replace previously stolen poles for an additional \$57,350.00. The poles and luminaries will be used by Traffic Engineering for phase two of the Martin Luther King, Jr. Boulevard Streetscape Project. The reason for not selecting the low bidder, Lighting Associates, is that they failed to provide the required manufacturer's specifications and drawings to allow for evaluation of the product offered. The next three lower bidders also were not selected because the poles they offered differed significantly in either design or specifications from the requested poles. While the poles do not have to match the phase one poles exactly, they do need to be close enough in design to provide continuity between the two phases. The Sun Valley bishop's crook pole was utilized in phase one of the project. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2010 Budget, Capital Improvement Fund/Capital Improvement Projects/Other Costs/MLK Streetscape (Account No. 311-9207-52842-SQ804). City Manager Toney stated the poles had been stolen from storage on Louisville Road. Upon motion by Alderman Felser, seconded by Alderman Osborne, and carried the contract was awarded.

Mayor Johnson pointed out that several Council members were out of town but would return for the next meeting.

There being no further business, Mayor Johnson declared this meeting of Council adjourned.

Dyanne C. Reese  
Clerk of Council